



352

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

|                                |   |                                     |
|--------------------------------|---|-------------------------------------|
| In re application of:          | § |                                     |
| Biedermann et al.              | § | Publication No.: US 2004/0181224 A1 |
|                                | § |                                     |
| Serial No.: 10/799,143         | § | Publication Date: Sep. 16, 2004     |
|                                | § |                                     |
| Filed: March 11, 2004          | § | Group Art Unit: 3732                |
|                                | § |                                     |
| For: ANCHORING ELEMENT FOR USE | § |                                     |
| IN SPINE OR BONE SURGERY,      | § |                                     |
| METHODS FOR USE AND            | § |                                     |
| PRODUCTION THEREOF             | § |                                     |

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**THIRD PARTY SUBMISSION OF PRIOR ART  
UNDER 37 C.F.R. § 1.99**

Sir:

Please accept this submission of prior art:

1. U.S. Patent No. 5,474,555 to Puno et al. issued Dec. 12, 1995 (including a redacted version).
2. U.S. Patent No. 5,217,497 to Mehdiian issued Jun. 8, 1993 (including a redacted version).
3. Selected portions from the John R. Walker, Machining Fundamentals – Fundamentals Basic to Industry (The Goodheart-Willcox Co., Inc.)(1981), pages 2, 179-186 (including a redacted version).
4. Selection portions from Lacoe et al., Machineshop – Operations and Setups (American Technical Society) (1973), pages 380, 386, and 388 (including a redacted version).

The undersigned hereby certifies that, consistent with 37 C.F.R. § 1.248(b), a copy of this correspondence and the attached prior art references was deposited with the United States Postal Service as first class mail in an envelope addressed to:

Dike, Bronstein, Roberts & Cushman  
Edwards & Angell, LLP  
Intellectual Property Practice Group  
P.O. Box 9169  
Boston, MA 02209 (US)

Bonnie Boyle  
Signature

November 15, 2004  
Date

Third Party Submission of Prior Art  
Mailed November 15, 2004

Appl. No. 10/799,143  
Publication No. US 2004/0181224 A1

The Commissioner is hereby authorized to charge payment of any further fees associated with any of the papers submitted herewith or to credit any overpayment to Deposit Account No. 08-1394. A self-addressed postcard is included herewith to acknowledge receipt by the Patent Office.

Respectfully submitted,

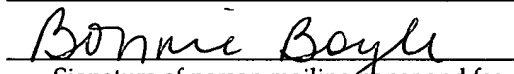


David L. McCombs  
Registration No. 32,271

Dated: November 15, 2004

HAYNES AND BOONE, LLP  
901 Main Street, Suite 3100  
Dallas, Texas 75202-3789  
Telephone: 972-739-8635  
Facsimile: 214-200-0853  
R-91242\_1.DOC

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450  
on: November 15, 2004

  
Signature of person mailing paper and fee